

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE:

APPLICATION OF OPTASITE TOWERS LLC AND OMNIPOINT COMMUNICATIONS, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT 1294 PLEASANT VALLEY ROAD
NORTH IN THE TOWN OF GROTON

DOCKET NO. _____

Date: FEBRUARY 22, 2007

**APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

I. Introduction

A. Purpose and Authority

Pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes ("CGS"), as amended, and Sections 16-50j-1 et seq. of the Regulations of Connecticut State Agencies ("RCSA"), as amended, Optasite Towers LLC ("Optasite") and Omnipoint Communications, Inc ("T-Mobile") (together the "Applicants") hereby submit an application and supporting documentation (collectively, the "Application") for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless communications facility (the "Facility") in the Town of Groton. The proposed Facility is a necessary component in T-Mobile's network plan to provide personal wireless communications services in the State of Connecticut and New London County. The proposed Facility will provide service in the Towns of Groton and Ledyard along Route 12 and State Highway 32, as well as in adjacent areas.

B. Executive Summary

The proposed Facility will consist of a 140 foot, self-supporting monopole, antennas, associated equipment and other site improvements integral to a wireless communications facility. Optasite identified the JFM Enterprises site, located at 1294 Pleasant Valley Road North in Groton (the "Property") for the construction and operation of its proposed facility. The Property consists of 3.66 acres and is currently used as a dog boarding and grooming business and a horse paddock but large portions of the property are undeveloped and wooded. The property is located in a RU 20 zone.

The leased area is located in the north-central portion of the Property. Optasite proposes to install a monopole with appurtenances extending to approximately 140 feet in height and an equipment shelter at grade within a 50 foot by 50 foot fenced equipment compound (the "Site"). Vehicular access to the facility would extend from Pleasant Valley Road North over an existing gravel driveway and continue on over a new gravel driveway to the Site. Underground utility connections would extend from existing service on the Property from Pleasant Valley Road North to the Site.

The monopole and compound area will be designed to accommodate use by all of the wireless carriers active in Connecticut and the Groton public safety communications, if requested. T-Mobile has committed to locating at the Site and will serve as the anchor tenant. The compound will be enclosed by an 8-foot high security fence. T-Mobile's equipment also would be monitored 24 hours a day, 7 days a week from remote locations.

Included in this Application and the exhibits attached hereto, are survey-based plans, attached hereto as Exhibit A, and other information detailing the Facility proposed at the Site and potential environmental impacts associated therewith. The Applicants

respectfully submit that the reports and other supporting documentation included in this Application contain relevant site specific information as required by Statute and the regulations of the Connecticut Siting Council (the "Siting Council" or "Council"). A copy of the Council's Community Antenna Television and Telecommunication Facilities Application Guide with page references from this Application is also included in Exhibit B.

C. The Applicants

The co-applicant Optasite is a Delaware corporation with offices at One Research Drive, Suite 200C, Westborough, Massachusetts 01581. Optasite will construct and maintain the proposed Facility. The co-applicant T-Mobile is a Delaware corporation with a Connecticut office at 100 Filley Street, Bloomfield, Connecticut, 06002. The company and its affiliated entities are licensed by the Federal Communications Commission ("FCC") to construct and operate a personal wireless services system in Connecticut, which has been interpreted as a "cellular system" within the meaning of CGS Section 16-50i(a)(6). T-Mobile does not conduct any other business in the State of Connecticut other than the provision of cellular services under FCC rules and regulations. T-Mobile is committed to use the proposed Facility as the anchor tenant. Correspondence and/or communications regarding this Application shall be addressed to the attorneys for the applicants:

Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
Attention: Julie Kohler, Esq.
Carrie L. Larson, Esq.
Deborah S. Erickson, Esq.

D. Application Fee

Pursuant to RCSA Section 16-50v-1a(b), a check made payable to the Siting Council in the amount of \$1,000.00 accompanies this Application. The estimated total construction cost is \$179,000.00. As such, the applicable application fee is \$1,000.00 in accordance with RCSA Section 16-50v-1a(b).

E. Compliance with CGS Section 16-50/(c)

Neither Optasite nor T-Mobile is engaged in generating electric power in the State of Connecticut. As such, the proposed Facility is not subject to CGS Section 16-50r. The proposed Facility has not been identified in any annual forecast reports. As such, the proposed Facility is not subject to CGS Section 16-50/(c).

II. Service and Notice Required by CGS Section 16-50/(b)

Pursuant to CGS Section 16-50/(b), copies of this Application have been sent by certified mail, return receipt requested, to municipal, regional, State, and Federal officials. A certificate of service, along with a list of the parties served with a copy of the Application is included in Exhibit C. Pursuant to CGS 16-50/(b), notice of the Applicants' intent to submit this application was published on two occasions in The Day on February 13 and 15, 2007 and The Norwich Bulletin on February 12 and 14, 2007. Copies of the published legal notices are included in Exhibit D. The publishers' affidavits of service will be forwarded upon receipt. Further, in compliance with CGS 16-50/(b), notices were sent to each person appearing of record as owner of a property which abuts the Site. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Exhibit E.

III. Statements of Need and Benefits

A. Statement of Need

As the Council is aware, the United States Congress, through adoption of the Telecommunications Act of 1996, recognized the important public need for high quality telecommunication services throughout the United States. The purpose of the Telecommunication Act's overhaul of the Communications Act of 1934 was to "provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies to all Americans." H.R. Conf. Rep. No. 104-458, 206, 104th Cong., Sess. 1 (1996). With respect to wireless communications services, the Telecommunications Act of 1996 expressly preserved State and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of such authority and preempted State or local regulatory oversight in the area of emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In essence, Congress struck a balance between legitimate areas of State and/or local regulatory control over wireless infrastructure and the public's interest in its timely deployment to meet the public need for wireless services.

The Facility proposed in this Application is an integral component of T-Mobile's wireless network in this area of the State of Connecticut. Currently, a gap in coverage exists in T-Mobile's network in the Groton/Ledyard area, specifically along Route 12 and State Highway 32. The proposed Facility, in conjunction with other existing and future facilities in Groton and surrounding towns, is needed by T-Mobile to provide its wireless services to people living in and traveling through this area of the State.

T-Mobile's specific need for the proposed Facility is detailed in propagation plots which identify T-Mobile's specific need for this Facility in the Groton/Ledyard area

attached hereto as Exhibit F. Based on the location of the proposed Facility and the lack of coverage in this area, Optasite cannot readily predict a point in time at which the Facility might reach maximum capacity.

B. Statement of Benefits

T-Mobile is a leading provider of advanced wireless voice and data services throughout the United States with over 20 million subscribers. T-Mobile and its corporate predecessors constructed one of the first wireless networks in Connecticut and is actively involved today in the deployment of next generation wireless services. Over the past two decades, T-Mobile has seen the public's demand for traditional cellular telephone services in a highly mobile environment migrate to a demand for anytime-anywhere wireless connectivity with the ability to send and receive voice, text, image and video. People today are using their wireless devices more and more as their primary form of communication for both personal and business needs. Modern devices allow for calls to be made, the internet to be reached and other services to be provided irrespective of whether a user is mobile or stationary and provided network service is available.

Wireless devices have become integral to the telecommunications needs of the public and their benefits can no longer be considered a luxury. Indeed, in an effort to ensure the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the "911 Act"). The purpose of this legislation was to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress found that networks that would provide for the rapid, efficient deployment of emergency services would enable faster delivery of emergency care with reduced fatalities and severity of injuries. With

each year since passage of the 911 Act, additional anecdotal evidence supports the public safety value of improved wireless communications in aiding lost, ill or injured individuals such as motorists, hikers and boaters.

As an outgrowth of the 911 Act, the FCC mandated wireless carriers, such as T-Mobile, to provide enhanced 911 services ("E911") as part of their communications networks. These services ultimately allow 911 public safety dispatchers to identify a wireless caller's geographical location within several hundred feet. T-Mobile has deployed and continues to deploy network technologies to implement the FCC's E911 mandates. The proposed Facility in Groton will become an integral component of T-Mobile's E911 network in this area of the state. These factors will apply equally to other wireless carriers as they expand their service in the Groton area through the proposed Facility.

C. Technological Alternatives

The FCC licenses granted to T-Mobile and other wireless carriers authorize them to provide cellular and PCS services in this area of the State through deployment of a network of wireless transmitting sites. The proposed Facility is a necessary component of T-Mobile's wireless network. The proposed Facility will also allow other wireless carriers to provide services in this area.

Repeaters, microcell transmitters, distributed antenna systems and other types of transmitting technologies are not a practicable or feasible means to providing service within the sizeable coverage gap in this area. Significant terrain variations and tree cover in Groton and the surrounding area, as well as other practical considerations limit the use of such technologies. As such, they are not an alternative to the proposed Facility. The Applicants submit that there are no equally effective technological alternatives to

construction of a new tower Facility for providing reliable personal wireless services in this area of Connecticut.

IV. Site Selection and Tower Sharing

A. Site Selection

Optasite conducted the site search for this Facility in this area of Groton/Ledyard. A search area is an area where a coverage and/or capacity problem exists within a carrier's network and where a new wireless facility is needed to provide service to the public. In general, wireless carriers and developers attempt to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs which might accommodate the height and structural requirements for a wireless facility. In the northern Groton area, there are no existing towers or transmission line structures with sufficient height. Any existing towers are too far from the target area to provide adequate coverage or the owners have rejected Optasite's solicitations.

Initially, both individual carriers and Optasite seek to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs that may accommodate a wireless facility. Optasite identified fifteen (15) towers, either existing or proposed, within approximately 4 miles of the site search area. All are shown in the table of "Surrounding Site Information" included in Exhibit G as well as plotted on a topographical map also included in Exhibit G.

Once it was determined that a new tower facility was required, Optasite's goal was to find properties upon which a tower could be constructed and provide service to the public while at the same time minimizing any potential environmental impact to the extent practicable and feasible. The Site Selection narrative and map of rejected sites, attached hereto as Exhibit H, provides a complete explanation of Optasite's methodology and

actual search for potential sites in Groton/Ledyard and depicts the locations reviewed during Optasite's search and the reasons for elimination from consideration of all but the proposed Site.

B. Tower Sharing

To promote the sharing of wireless facilities in the Groton area, Optasite has proposed a Facility that can accommodate up to four antenna platforms and equipment for the wireless carriers in the Connecticut marketplace and the Groton public safety functions. T-Mobile has committed to use the Facility, if approved. Details of the design are included in Exhibit A. Optasite has committed to provide, free of charge, space on the proposed monopole for the Groton public safety communications antennas.

V. Facility Design

Optasite has leased a 2,500 square foot parcel within the approximately 3.66 acre Property. The proposed Facility would at a minimum require the construction of a 140 foot high self-supporting monopole. T-Mobile would install up to twelve panel antennas flush-mounted at 137 AGL and occupy an equipment shelter, approximately 5 foot by 10 foot in size, within the 50 foot by 50 foot equipment compound. The compound would be enclosed by a security, chain-link fence, eight (8) feet in height. The monopole and equipment compound are designed to accommodate the facilities of all wireless carriers active in the Connecticut marketplace and Groton emergency services, if requested.

Vehicular access to the Facility would extend from Pleasant Valley Road North over an existing asphalt and gravel driveway and will continue onto a new gravel driveway. Construction will result in the removal of no trees of 6" in diameter or greater. See Exhibit A, tree removal count. Underground utility connections would extend from existing service on Pleasant Valley Road North to the compound. Exhibit A contains the

specifications for the proposed Facility at the Site including a site plan, a compound plan, tower elevation, access map and other relevant information. Exhibit I contains a Phase I Environmental Site Assessment¹. Exhibit J contains visual resources evaluation including a computer-based, predictive viewshed model and photosimulations. Exhibit K contains an Archeological Assessment Study. Exhibit L contains a wetlands delineation report. Some of the relevant information included in these exhibits for the Site reveals that:

- The property is classified as a RU 20 Residential zoning district;
- No wetlands are found within 105 feet of the proposed Site;
- The property is and will continue to be a dog kennel and grooming business and a horse paddock;
- Minimal grading of the proposed access drive and minimal grading of the proposed compound area would be required for the construction of the proposed Facility;
- Minimal clearing would be required for development of the proposed access drive and compound area;
- The proposed Facility will have no effect on historic or architectural resources according to the State Historic Preservation Officer and the Archeological Assessment Study; and
- The proposed Facility will have no impact on water flow, water quality, or air quality and will not emit any noise.

¹ Please note that the Phase I Environmental Site Assessment mentions a 150 foot tower which was the proposed height at the time the study was conducted but subsequent to that, the height dropped to the current proposed height of 140 feet. Additionally, the attached exhibit includes a summary of findings and photographs, the complete report will be made available to the Council upon request.

VI. Environmental Compatibility

Pursuant to CGS Section 16-50p, the Council is required to find and to determine as part of the Application process any probable environmental impact of the facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forest and parks, air and water purity and fish and wildlife. As demonstrated in this Application and the accompanying Attachments and documentation, either of the proposed Facilities will have no significant adverse environmental impacts.

A. Visual Assessment

The visual impact of the proposed Facility would vary from different locations around the tower depending upon factors such as vegetation, topography, distance from the tower, and the location of structures around the tower. Exhibit J contains a computer-based, predictive viewshed model which depicts the potential impact of the proposed Facility from surrounding views for the Site as well as a Visual Resource Evaluation.

Optasite retained Vanasse Hangen Brustlin ("VHB") to prepare the Visual Resource Evaluation. On February 12, 2007, VHB conducted a balloon float at 140 feet AGL at the proposed Site in order to evaluate the potential viewshed associated with the proposed Facility. VHB sought to determine the visibility impact of the Facility, accounting for local, state and federal historic, hiking and recreational sites within the study area, as well as within a two-mile radius of the proposed Site ("Study Area").

The Visual Resources Evaluation demonstrates that the Facility will be as inconspicuous as possible. The topography and the mature vegetation at the proposed Site will significantly limit the visual impact of the proposed Facility.

The existing vegetation in the area of the proposed Site is mature, mixed deciduous hardwood species with an average estimated height of 65 feet. Based on the

viewshed analysis contained in Exhibit J, areas from which the proposed Site will be at least partially visible comprise 245 acres, which is three percent (3%) of the entire Study Area. However, the majority of year round visibility occurs over open water of the Thames River near industrial and military installations accounting for approximately 217 of the 245-acre total. Of the remaining 28 acres of year round visibility, 23 acres occurs within the US Navel Reservation located to the west.

The visibility of the tower at the proposed Site will be minimized due largely to the topography and extent of tree cover found within the Study Area and particularly on the Property itself, which is 3.66 acres. The Facility at the proposed Site will be visible above the tree canopy from portions of Pleasant Valley Road North and Ohio Avenue, but views from the proposed Facility are expected to be limited to primarily within the immediate area of the proposed Facility and much of the anticipated visibility will occur on the host Property itself. Overall, eight (8) residences² will have partial year round views of the Facility and ten (10) additional residences will have partial, seasonal views of the Facility.

The compound area will have a de minimis visual impact as it will be screened by the proposed fencing. In addition, the Property itself provides a vegetative buffer around the Site. Finally, the tower and antenna installations will be painted a color to blend in with the trees in the vicinity to further reduce the overall visibility of the Site.

These Visual Resources demonstrate that, even from most of the areas where the Facility will be visible, the tower is unobtrusive. Accordingly, the proposed Facility will not result in an unacceptable adverse visual impact.

As the Visual Resources confirm, the location of the proposed Facility at the proposed Site will not have a significant visual impact on the surrounding area. In

² After the Woods Walk Condominiums, two to three additional properties will have partial year round views.

addition, the Visual Resources confirm that the location of the proposed Facility at the proposed Site will not have a significant visual impact on any hiking or recreational sites, scenic highways or historic sites.

Weather permitting, Optasite will raise a balloon with a diameter of at least three (3) feet at the proposed Site on the day of the Council's first hearing session on this Application, or at a time otherwise specified by the Council.

B. Solicitation of State Agency Comments

Optasite submitted a request for review and comment for the proposed Site to the Connecticut State Historic Preservation Officer ("SHPO") and the Connecticut Department of Environmental Protection ("DEP"). Given the nature of the terrain and soil on the Property, no impacts are anticipated.

A copy of DEP and SHPO's correspondence is included in Exhibit M.

C. Power Density Analysis

In August 1996, the FCC adopted a standard for exposure to Radio Frequency ("RF") emissions from telecommunications facilities like those proposed in this Application. To ensure compliance with applicable standards, T-Mobile has performed maximum power density calculations for the proposed Facility assuming that the antennas were pointed at the base of the tower and all channels were operating simultaneously. The resulting power density for T-Mobile's operations at the proposed Site would be approximately 2.6431% of the applicable MPE standards. Copies of the Power Density Calculations and Memorandum attached hereto as Exhibit N.

D. Other Environmental Factors

The proposed Facility would be unmanned, requiring monthly maintenance visits by each carrier that will last approximately one hour. T-Mobile's equipment at the Facility

will be monitored 24 hours a day, 7 days a week from a remote location. The proposed Facility at the Site would not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, the proposed Facility will not create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations. The construction and operation of the proposed Facility will have no significant impact on the air, water, or noise quality at the Site.

Optasite has evaluated the Site in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). A copy of the NEPA report is attached hereto as Exhibit O. The Site was not identified as a wilderness area. No National Parks, National Forests, National Parkways or Scenic Rivers, State Forest, State Designated Scenic Rivers or State Gamelands are located in the vicinity of the Site. The Site is not located in or adjacent to any areas identified as a federal wildlife preserve. No federally regulated wetlands or watercourses will be impacted by the proposed Facility. See also Wetlands Delineation Report at Exhibit L. In addition, the NEPA report indicates that the proposed Facility is not located in a floodplain as defined by the Federal Emergency Management Agency ("FEMA"). As such, and based on the information contained in other reports included in this Application, the Site is categorically excluded from any requirement for further environmental review by the FCC in accordance with NEPA and no permit is required by that agency prior to construction of the proposed Facility. See 47 C.F.R. §§ 1.1306(b) and 1.1307(a).

VII. Consistency with the Groton Land Use Regulations

Pursuant to the Council's Application Guide, included in this section is a narrative summary of the consistency of the project with the local municipality's zoning and wetland regulations and plan of conservation and development. A description of the zoning classification of each Site and the planned and existing uses of the proposed site locations are also detailed in this section.

A. Groton Plan of Conservation and Development

The Groton Plan of Conservation and Development (the "Plan"), a copy of which is included in the bulk filing, was adopted on December 11, 2001. Wireless communications facilities are addressed in the "Enhance Infrastructure" section of the Plan. The plan specifically encourages improvement of modern communication technology through the Town: "A high priority for the Town should be to encourage the development and implementation of the highest capacity and quality communications technology to meet the needs of local businesses and residents." See Bulk Filing, Plan of Conservation and Development at 143. While the Plan does not have specific directives for addressing cellular communications, one recommendation of the Plan is to promote collocation on communications towers. The current proposal includes room for three other wireless carriers to collocate on the site in addition to an offer for the Town to locate its emergency communications equipment on the tower.

Accordingly, Optasite respectfully submits that the proposed Facility, which will provide needed wireless communications service within the Town and a means for upgrading the Town's emergency communications, is consistent with the Town's plan for wireless communications.

B. Groton Zoning Regulations and Zoning Classification

According to the Town's zoning map and municipal tax records, the Site is classified in the RU 20 or two units per acre zoning district. Section 7.1-41 of the Town's Zoning Regulations discusses wireless telecommunications facilities and lays out the Town's standards for permitting such facilities. Telecommunications towers are permitted in the RU zone.

Sections 4.4 and 7.1-41 of the Town's Zoning Regulations set forth the Town's recommended zoning requirements for new wireless communications facilities. Consistency of the proposed Facility at the Site with these standards and dimensional requirements are illustrated in the following table.

Standards and Dimensional Requirements

Regulation Section	Requirement of Regulation	Proposal
Section 7.1-41.D	Minimum Lot Area	Site
	20,000 square feet	Lot size is 3.66 acres
Section 7.4-4.F	Setbacks	Site
	Underlying zone or tower height, whichever is greater	Proposed is 70 feet
Section 7.1-41.I	Lighting	Site
	None permitted unless required by the FAA	None proposed
Section 7.1-41.C	Telecommunications towers prohibited	Site
	In Town or National Register Historic Districts	Not located within Town or National Register Historic Districts

C. Planned and Existing Land Uses

The proposed Site will be located in the north central portion of an approximately 3.66 acre property. The Property contains a dog boarding and grooming facility and a horse paddock. Some industrial development is found in the surrounding area to the east and west of the Property and low density residential development is found in the surrounding areas. Consultation with municipal officials and observations did not indicate any known or planned changes in surrounding land uses.

D. Groton Inland Wetlands and Watercourses Regulations

The Groton Inland Wetlands and Watercourses Regulations ("Local Wetlands Regulations") regulate certain activities conducted in or adjacent to "wetlands" as defined therein. The Local Wetlands Regulations recommend a 100' buffer to protect the quality of inland wetlands. See Bulk Filing, Section 3, pg 2-4; pg 5-1.

According to the site survey and field investigations conducted at the Site, inland wetlands were delineated approximately 105' to the south of the Site, however the construction activities for the proposed Facility and equipment compound will not take place within the wetlands or within 100' of the wetlands buffer. Field investigations conducted at the Site as well as the wetlands report are attached hereto as Exhibit L. In accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council of Soil and Water Conservation, soil erosion control measures and other best management practices will be established and maintained throughout the construction of the proposed Facility.

VIII. Consultations with Local, State and Federal Officials

A. Local Consultations

CGS Section 16-50/(e) requires an applicant to consult with the local municipality in which a proposed facility may be located and with any adjoining municipality having a boundary of 2,500 feet from the proposed facility concerning the proposed and alternate sites of the facility.

On December 15, 2006, Optasite submitted a letter and a technical report to the Towns of Groton and Ledyard with respect to the proposed Facility at the Site. Copies of the letters to the Towns of Groton and Ledyard are attached hereto as Exhibit P. The technical report, a copy of which is being bulk filed, included specifics about each proposed location and addressed the public need for the facility, the site selection process and the environmental effects of the proposed Facility.

On January 23, 2007, Optasite met with Groton officials Mark R. Oefinger, Town Manager, and Michael J. Murphy, Town Director of Planning and Development, to discuss the proposed Facility. No comments have been received from Groton as of the date of this filing but Optasite has continuously followed-up with the Town and will continue to do so. After repeated attempts to schedule a meeting with a Ledyard official, Optasite was informed that Ledyard did not have any concerns and did not feel it necessary to participate at consultation stage of the process. Optasite will continue to follow-up with both Towns regarding this Application.

B. Consultations with State Officials

As noted in Section VI.B of this Application, Optasite consulted with and requested review of the proposed Site Facility from SHPO and DEP. Exhibit M contains SHPO and DEP's correspondence for the proposed Site.

C. Consultation with Federal Agencies

Optasite has received a determination from the Federal Aviation Administration ("FAA") for the Site, which is included in Exhibit Q. The results indicate the proposed Facility would not require FAA registration, let alone FAA review as a potential air navigation obstruction or hazard. As such, no FAA lighting or marking would be required for the towers proposed in this Application.

T-Mobile's FCC license permits it to modify its network by building wireless facilities within its licensed area without prior approval from the FCC provided that a proposed facility does not fall within one of the "listed" categories requiring review under NEPA. The "listed" categories, included in 47 CFR §1.1307, are activities that may affect wilderness areas, wilderness preserves, endangered or threatened species, critical habitats, National Register historic districts, sites, buildings, structures or objects, Indian religious sites, flood plains and federal wetlands. As noted in Section VI.D of this Application, Optasite conducted a review for the Site and determined that the Site does not fall under any of the NEPA "listed" categories of 47 CFR §1.1307. Therefore, the proposed Facility does not require review by the FCC pursuant to NEPA. A copy of the NEPA report is attached hereto as Exhibit O.

In addition, the Applicants have consulted United States Department of the Interior, Fish and Wildlife Service. They have confirmed that no federally-listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. fish and Wildlife Services are known to occur on the Property. See Exhibit M.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Site facility is \$179,000.00. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$74,000.00;
- (2) Site development costs of approximately \$74,000.00; and
- (3) Utility installation costs of approximately \$31,000.00.

B. Overall Scheduling

Site preparation and engineering would commence immediately following Council approval of Optasite's Development and Management ("D&M") Plan and is expected to be completed within three (3) to four (4) weeks. Installation of the monopole, antennas and associated equipment is expected to take eight (8) weeks. The duration of the total construction schedule is approximately eight (8) weeks. Facility integration and system testing is expected to require an additional two (2) weeks after the construction is completed.

X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in the Groton area for improved wireless services. The foregoing information and attachments also demonstrate that the proposed Facility will not have any substantial adverse environmental effects. The Applicants respectfully submit that the public need for the proposed Facility outweighs any potential environmental effects resulting from the construction of the proposed Facility at the Site. As such, the Applicants respectfully request that the Council grant a Certificate of Environmental Compatibility and Public Need to Optasite for a proposed wireless telecommunication facility at 1294 Pleasant Valley Road North, Groton, Connecticut.

Respectfully Submitted,

By:  _____

Attorneys for the Applicants
Julie D. Kohler, Esq.
jkohler@cohenandwolf.com
Carrie L. Larson, Esq.
clarson@cohenandwolf.com
Deborah S. Erickson, Esq.
derickson@cohenandwolf.com
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
Tel. (203) 368-0211
Fax (203) 394-9901